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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KUANG-BAO P. OU-YOUNG,

Plaintiff,

v.

LAWRENCE E. STONE, Santa Clara
County Assessor; JEANETTE TONINI,
Senior Assessment Clerk; and COUNTY OF
SANTA CLARA,

Defendants.

Case No. 19-cv-07000-BLF

KUANG-BAO P. OU-YOUNG,

Plaintiff,

v.

LAWRENCE E. STONE, Santa Clara
County Assessor; JEANETTE TONINI,
Senior Assessment Clerk; and COUNTY OF
SANTA CLARA,

Defendants.

Case No. 19-cv-07231-BLF

**SUA SPONTE ORDER
CONSOLIDATING CASES**

The Court has reviewed the complaints in Case Nos. 19-cv-07000-BLF and 19-cv-07231-

BLF and *sua sponte* consolidates the two above-captioned actions brought by Plaintiff Kuang-Bao
P. Ou-Young against Defendants County of Santa Clara, County Assessor Lawrence E. Stone, and
Senior Assessment Clerk Jeanette Tonini. In both actions, Plaintiff asserts that his spouse
transferred her interest in their residence to Plaintiff; the County assessor's office unlawfully
terminated Plaintiff's homeowner's exemption in order to raise Plaintiff's property taxes; and the

1 County assessor's office has declined to restore Plaintiff's homeowner's exemption since
2 September 10, 2019. The only material difference between the two actions is that Plaintiff named
3 District Judge Edward J. Davila as a defendant in Case No. 19-cv-07000-BLF, but not as a
4 defendant in Case No. 19-cv-07231-BLF. However, Judge Davila has been dismissed from Case
5 No. 19-cv-07000-BLF. The two actions now assert essentially the same claims against the same
6 defendants.

7 "If actions before the court involve a common question of law or fact, the court may . . .
8 consolidate the actions." Fed. R. Civ. P. 42(a). The "district court has broad discretion under this
9 rule to consolidate cases pending in the same district." *Investors Research Co. v. U.S. Dist. Court*
10 *for Cent. Dist. of California*, 877 F.2d 777, 777 (9th Cir. 1989). "In determining whether or not to
11 consolidate cases, the Court should weigh the interest of judicial convenience against the potential
12 for delay, confusion and prejudice." *Bodri v. Gopro, Inc.*, 2016 WL 1718217, at *1 (N.D. Cal.
13 Apr. 28, 2016) (internal quotation marks and citation omitted).

14 Because Case No. 19-cv-07000-BLF and Case No. 19-cv-07231-BLF are based on the
15 same facts, and assert substantially the same claims against the same defendants, the Court finds
16 that consolidation of the actions would further judicial economy. Consolidation will not cause
17 delay or prejudice to the parties, as both cases are at a very early stage. Accordingly, Case No.
18 19-cv-07000-BLF and Case No. 19-cv-07231-BLF are HEREBY CONSOLIDATED. The
19 consolidated action shall proceed under Case No. 19-cv-07000-BLF, and Case No. 19-cv-07231-
20 BLF shall be closed.

21 **IV. ORDER**

- 22 (1) Case No. 19-cv-07000-BLF and Case No. 19-cv-07231-BLF are HEREBY
23 CONSOLIDATED;
24 (2) The consolidated action shall proceed under Case No. 19-cv-07000-BLF; and
25 (3) Case No. 19-cv-07231-BLF shall be closed.

26
27 Dated: December 5, 2019


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BETH LABSON FREEMAN
United States District Judge